THE HONOURABLE SRI JUSTICE

A.GOPAL REDDY

and

THE HONOURABLE SRI JUSTICE

P.SWAROOP REDDY

Taken up W.P.No.19639/2005

Dt.24-09-2007

1.S.Raju and two others.

..Petitioner

V.

1. The Station House Officer, Shabad Police Station, Ranga Reddy District and nine others.

..Respondents.

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ORAL ORDER

The petitioners sent a representation to the Honourable Acting Chief Justice alleging that they were illegally detained in connection with Cr.No.85/2005 of PS Shabad on 4-7-2005 and at the instance of Mr. Bhoomaiah, the Circle Inspector of Police and Mr. Tirupathi Raju, the Sub-Inspector of Police, Chevella Police Station, Assistant Sub-Inspector of Police, P.S.Shabad, Gopal and Nagender, Police Constables, Prabhakar, Home Guard of P.S., Chevella beat them and send rats towards their private parts and subjected them to third degree methods under the guise of interrogation; that on 4-7-2005 they were shifted to P.S., Shabad, where they were wrongfully confined in the lock-up and P.Sureka, Sub-Inspector of Police, P.S.Shbabad and her constables beat them mercilessly and tortured physically and mentally in order to make them to confess the crime; that they were illegally kept in the police lock up for the entire two days ie., on 4th and 5th of July, 2005 and when they refused to confess the crime reported in Cr.No.85/2005, they were shifted to Chevella Police Station and confined there in the lock up; that one Swarnalatha filed a petition before the Judicial First Class Magistrate, Chevella, who after recording her statement appointed the Advocate Commissioner to search the police station of Chevella; that the advocate–commissioner with the assistance of P.Pentaiah, Junior Assistant of JFCM Court found that they were illegally detained and they were produced before the Magistrate. On

the said representation, the same was treated as writ petition. The said representation was treated as writ petition.

In response to the notice, P.Surekha, Sub-Inspector of Police, Shabad, Ranga Reddy District filed counter-affidavit stating that one K.Andalu, w/o Anthi Reddy of Seetharampuram village lodged a complaint, on which basis Cr.No.85/2005 under Secs.457 and 380 IPC was registered against the petitioners. She denied the arrest of the petitioners on 3-7-2005 and kept in police station till 7-7-2005 until they were taken away by the Advocate Commissioner. Petitioner Nos.1 and 2 have consumed spurious liquor and were admitted to Civil Hospital, Shabad. The certificate issued by the Medical Officer shows that they were admitted on 4-7-2005 and they were discharged on 5-7-2005. The contention that the petitioners were illegally detained on 4-7-2005 and shifted to the police station, Shabad and confined there is false. The petitioners were arrested on 7-7-2005 and the first accused M.Raju confessed that he had stolen property and handed over the same to one Pandu Ranga Reddy of Seetharampura village. The intention of the police personnel who brought the accused to Chevella Police Station was to recover the properties from the said Pandu Ranga Reddy.

The report called for from the Superintendent of Police, Ranga Reddy District discloses that two of the petitioners consumed spurious liquor and the third petitioner took them to the Hospital at Shadnagar and they were admitted as inpatients at her hospital on 4-7-2005 and discharged on 5-7-2005 as per the case sheets with reference to IP Nos.2603 and 2604. The allegation of torture by P.Surekha, S.I. of Police, Shabad does not arise as she is physically immobile because of pregnancy.

In view of the fact that the petitioners were admitted in the

hospital as inpatients, the contention of the petitioners that the police illegally detained them on the said dates mentioned in the representation is devoid of consideration.

The writ petition is accordingly dismissed.

A.GOPAL REDDY,J

P.SWAROOP

REDDY,J

Dt.24-09-2007

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